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Attorney for Defendant Christopher David Michalski

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

UNITED STATES OF AMERICA,

No. 3:22-CR-00190-SI

Plaintiff,

v.

**DECLARATION OF BEAR
WILNER-NUGENT IN SUPPORT OF
DEFENDANT'S SECOND UNOPPOSED
MOTION TO CONTINUE TRIAL DATE**

CHRISTOPHER DAVID MICHALSKI,

Defendant.

I, BEAR WILNER-NUGENT, make the following declaration under the penalty of perjury and based on my own personal knowledge. I am competent to testify to the following:

1. I am the attorney for defendant Christopher David Michalski. I make this declaration in support of defendant's unopposed motion to continue the trial date.
2. The trial is currently scheduled for 9:00 a.m. on October 4, 2022.
3. Defendant seeks to continue the trial date for approximately 90 days.
4. Defendant is not in custody. He is being supervised by United States Pretrial Services.
5. This is defendant's second motion for a continuance in this case.

6. The indictment charges defendant with one count of interstate communication of threats.
7. The requested continuance is necessary for an effective defense. I require additional time for the development, acquisition, analysis, and use of mitigating evidence. In my professional judgment, permitting this additional time will significantly enhance the likelihood of a fair negotiated settlement of this case.
8. Assistant United States Attorney Scott Kerin has stated that the government does not oppose this motion.
9. I have discussed with defendant the need to make this motion in order to provide him with effective representation in service of the best possible outcome. Defendant agrees with the continuance, understands the rights provided by the Speedy Trial Act, and waives those rights for the period of the continuance in light of the reason for the continuance.
10. Defendant is not making this motion for the purpose of delay.

I hereby declare that the above statements are true to the best of my knowledge and belief and that I understand that they are made for use as evidence in court and are subject to penalty for perjury.

RESPECTFULLY SUBMITTED September 20, 2022.

/s/ Bear Wilner-Nugent

Bear Wilner-Nugent, OSB #044549

Attorney for Defendant Christopher David Michalski